IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

Crl.Rev.Pet.No. 293 of 1997()

AGAINST THE ORDER DT. 24.7.96 IN CC.744/1993 of JUDL.MAGISTRATE OF FIRST CLASS COURT, TALIPARAMBA .

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REVN. PETITIONER: COMPLAINANT

PHOLIPOSE THURUPAKATU,
S/O.JOSEPH, ARIVILANJAPOYIL,
ALAKKODE VIA,
KANNUR DISTRICT.

BY ADV. SRI.O.V.MANIPRASAD

RESPONDENTS: ACCUSED

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1. **JOSE, WORKER IN HOTEL SAMRAT, TALIPARAMBA.**
2. **SAJI, WORKER IN HOTEL SAMRAT, TALIPARAMBA.**
3. **RAGHAVAN, WORKER IN HOTEL SAMRAT, TALIPARAMBA.**
4. **SAJITH, WORKER IN HOTEL SAMRAT, TALIPARAMBA.**

BY ADV. SRI.GRASHIOUS KURIAKOSE
BY PUBLIC PROSECUTOR SRI.C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 18/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

Crl. R.P. No.293 of 2007

Dated 18th June, 2007

ORDER

The revision petitioner is the complainant in C.C.No.744/93, the proceedings initiated for the offence under sections 341, 323 and 325 read with 34 IPC. The accused happened to be discharged as the complainant was absent. It is submitted that the lapse was occasioned on account of the wrong noting of the posting date.

2. In the circumstances and considering the nature of the proceedings, the order of the court below is set aside. The Crl.R.P is allowed. The court below is directed to permit the petitioner to further proceed with the matter.

The petitioner is directed to appear before the court below on 16-7-2007. The court shall issue fresh summons to the accused.

K.R.UDAYABHANU,
JUDGE.

Kvm/-

K.R.UDAYABHANU, J.

CRL.R.P. 293/1997

ORDER

18-6-2007.